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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,348	09/26/2003	Jeffrey B. Smith	XY1-001US	9661

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EXAMINER	
TRAN, QUOC DUC	
ART UNIT	**PAPER NUMBER**
2643	

DATE MAILED: 10/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/672,348	SMITH ET AL.	
	Examiner	Art Unit	
	Quoc D. Tran	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 September 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-77* is/are pending in the application.

4a) Of the above claim(s) *23,31,39,40 and 47* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22,24-30,32-38,41-46 and 48-77* is/are rejected.

7)☒ Claim(s) *11,20 and 32* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I in the reply filed on 9/26/2005 is acknowledged.

Claim Objections

2. Claims 11, 20 and 32 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3, 5-7, 11, 21, 41, 52, 57, 59-64, 66-71 and 73-77 are rejected under 35 U.S.C. 102(e) as being anticipated by Norby (6,775,365).

Consider claim 1, Norby teaches a collect callback (i.e., callback or return call billed to the first party) system (see abstract), comprising: a call-in service configured to establish a communication link with a call source, the call-in service further configured to initiate a collect callback option for the call source (col. 4 lines 10-20); and a switch configured to receive

callback data from the call-in service, the switch further configured to establish a collect call via a second communication link between the call source and the call-in service (Fig. 1, col. 4 lines 5-38).

Consider claim 2, Norby teaches wherein the switch is further configured to route the collect call via the second communication link through the switch (col. 4 lines 30-33).

Consider claim 3, Norby teaches wherein the switch is further configured to notify the call-in service that the collect call for the call source is authorized such that the call-in service can discontinue the communication link with the call source and such that the switch can establish the collect call via the second communication link (col. 4 line 66 – col. 5 line 4).

Consider claim 5, Norby teaches a collect callback system further comprising a database configured to maintain a call-in service identifier and an associated access code that each correspond to the call-in service, and wherein the switch is further configured to: receive the callback data which includes the call-in service identifier and a call source identifier; obtain the access code associated with the call-in service identifier from the database; and utilize the call source identifier and the access code to establish the collect call via the second communication link between the call source and the call-in service (col. 5 lines 14-25).

Consider claim 6, Norby teaches a collect callback system further comprising a database configured to maintain call source data that corresponds to the call source, and wherein the switch is further configured to obtain the call source data from the database and authorize the collect call for the call source (col. 5 lines 56-64).

Consider claim 7, Norby teaches a collect callback system further comprising a database configured to: maintain call source data that corresponds to the call source, the call source data

including call limits for the call source; maintain call limit standards that identify at least one of a day limit, a week limit, and a month limit; and wherein the switch is further configured to obtain the call source data from the database and authorize the collect call for the call source if the call limits for the call source do not exceed the call limit standards (col. 4 lines 59-65; col. 5 lines 27-40).

Consider claim 11, Norby teaches a telecommunications system comprising the collect callback system as recited in claim 1 (Fig. 1).

Consider claims 21, 41, 52, 57, 64 and 71, Norby teaches a collect callback system and method (abstract) comprising a call-in service configured to: establish a communication link with a call source that initiates communication with the call-in service (col. 4 lines 10-20); initiate a collect callback option for the call source as a form of payment for a duration of a collect call (col. 4 lines 56-64); receive an authorization input for collect call payment from the call source (col. 4 line 66 – col. 5 line 4); communicate callback data to a switch that initiates a collect call via a second communication link to the call source; and receive the collect call for the call source via the second communication link that is routed through the switch (col. 4 lines 30-33).

Consider claim 59 and 66, Norby teaches wherein the automated call-in device is an integrated component of a telecommunications switch (col. 4 lines 9-12).

Consider claims 60, 68 and 75, Norby teaches wherein the automated call-in device is further configured to obtain call source data from a database and authorize the collect call for the call source (col. 5 lines 56-64).

Consider claim 61 and 77, Norby teaches wherein the automated call-in device is further configured to establish the collect call between the call source and a call-in service (col. 4 lines 5-38).

Consider claims 62, 69 and 74, Norby teaches wherein the automated call-in device is further configured to communicate collect callback data to a telecommunications switch that establishes the collect call via a second communication link between the call source and a call-in service (col. 4 lines 5-38).

Consider claims 63, 70 and 76, Norby teaches wherein the automated call-in device is further configured to record the authorization input for the collect call payment (col. 4 line 66 – col. 5 line 4).

Consider claims 67 and 73, Norby teaches wherein the automated call-in device is further configured to communicate the collect callback data to the telecommunications switch, the collect call back data including a call source identifier and a call-in device identifier (col. 5 lines 14-25).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 4, 53, 55-56, 58, 65 and 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norby (6,775,365) in view of Dugan et al (6,363,411).

Consider claim 4, 53, 55-56, 58, 65 and 72, Norby did not suggest wherein the switch is further configured to query a Line Information Database to verify that the call source can be billed for the collect call. However, Dugan et al suggested such (col. 83 lines 7-10). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Dugan et al into view of Norby in order prevent from lost of revenue.

7. Claims 8-9, 12-15, 17-20, 22, 24-27, 29-30, 32-35, 37-38, 42-44, 46, 48-49 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norby (6,775,365) in view of Coulter (6,141,405).

Consider claims 8-9, Norby teaches the collect callback system further comprising a database configured to maintain an archive of recorded data associated with the collect call between the call source and the call-in service, the recorded data including a recording of the collect call (col. 4 lines 25-38). Norby did not suggest wherein the recorded data including a recorded name of the call source and wherein the switch is further configured to: communicate an instruction to the call source to verbalize a name to generate the recorded name of the call source; and transfer at least a portion of the collect call to the database to generate the recording of the collect call. However, Coulter suggested such (abstract). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Coulter into view of Norby in order for improve billing process.

Consider claims 12, 22, 24, 33, 42 and 48, Norby teaches a collect callback system and method, comprising: a switch configured to receive callback data from a call-in service that has initiated a collect callback option for a call source with which the call-in service has an

established communication link (col. 4 lines 10-20); a database configured to maintain an archive of recorded data associated with a collect call between the call source and the call-in service, the recorded data including a recording of the collect call (col. 4 lines 59-65; col. 5 lines 27-40); the switch further configured to: establish the collect call via a second communication link between the call source and the call-in service (col. 4 lines 30-33); and transfer at least a portion of the collect call to the database to generate the recording of the collect call (col. 5 lines 56-64). Norby did not suggest wherein the recorded data including a recorded name of the call source and wherein the switch is further configured to: communicate an instruction to the call source to verbalize a name to generate the recorded name of the call source. However, Coulter suggested such (abstract).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Coulter into view of Norby in order for improve billing process.

Consider claims 13 and 25, Norby teaches wherein the switch is further configured to route the collect call via the second communication link through the switch (col. 4 lines 30-33).

Consider claims 14, 26, 34 and 43, Norby teaches wherein the database is further configured to maintain associated recorded data that includes at least one of a call source identifier, a date of the collect call, a time of the collect call, a duration of the collect call, and call source touchtone inputs (col. 5 lines 41-64).

Consider claim 15, 27, 35, 44 and 49, Norby teaches wherein the switch is further configured to notify the call-in service that the collect call for the call source is authorized such that the call-in service can discontinue the established communication link with the call source

and such that the switch can establish the collect call via the second communication link (col. 4 line 66 – col. 5 line 4).

Consider claim 17, Norby teaches wherein the database is further configured to maintain call source data that corresponds to the call source, and wherein the switch is further configured to obtain the call source data from the database and authorize the collect call for the call source (col. 5 lines 56-64).

Consider claim 18, 29 and 37, Norby teaches wherein the database is further configured to maintain a call-in service identifier and an associated access code that each correspond to the call-in service, and wherein the switch is further configured to: receive the callback data which includes the call-in service identifier and a call source identifier; obtain the access code associated with the call-in service identifier from the database; and utilize the call source identifier and the access code to establish the collect call via the second communication link between the call source and the call-in service (col. 5 lines 14-25).

Consider claim 19, 30, 38, 46 and 51, Norby teaches wherein the database is further configured to: maintain call source data that corresponds to the call source, the call source data including call limits for the call source; maintain call limit standards that identify at least one of a day limit, a week limit, and a month limit; and wherein the switch is further configured to obtain the call source data from the database and authorize the collect call for the call source if the call limits for the call source do not exceed the call limit standards (col. 4 lines 59-65; col. 5 lines 27-40).

Consider claim 20, Norby teaches a telecommunications system comprising the collect callback system as recited in claim 12 (Fig. 1).

Consider claim 32, Norby teaches a telecommunications system comprising the collect callback system as recited in claim 24 (Fig. 1).

8. Claims 10, 16, 28, 36, 45, 50 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norby (6,775,365) in view of Coulter (6,141,405) and further in view of Dugan et al (6,363,411).

Consider claim 10, Norby teaches the collect callback system further comprising a database configured to: maintain call source data that corresponds to the call source, the call source data including call limits for the call source; maintain call limit standards that identify at least one of a day limit, a week limit, and a month limit; maintain an archive of recorded data associated with the collect call between the call source and the call-in service, the recorded data including a recording of the collect call; wherein the switch is further configured to: obtain the call source data from the database and authorize the collect call for the call source if the call limits for the call source do not exceed the call limit standards (col. 4 lines 25-38, lines 59-65; col. 5 lines 27-40). Norby did not suggest wherein the recorded data including a recorded name of the call source and wherein the switch is further configured to: communicate an instruction to the call source to verbalize a name to generate the recorded name of the call source; and transfer at least a portion of the collect call to the database to generate the recording of the collect call. However, Coulter suggested such (abstract). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Coulter into view of Norby in order for improve billing process.

Furthermore, Norby and Coulter did not suggest query a Line Information Database to verify that the call source can be billed for the collect call. However, Dugan et al suggested such

(col. 83 lines 7-10). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Dugan et al into view of Norby and Coulter in order prevent from lost of revenue.

Consider claims 16, 28, 36, 45, 50 and 54, Norby did not suggest wherein the switch is further configured to query a Line Information Database to verify that the call source can be billed for the collect call. However, Dugan et al suggested such (col. 83 lines 7-10). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Dugan et al into view of Norby and Coulter in order prevent from lost of revenue.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. Any response to this action should be mailed to:

Mail Stop ____(explanation, e.g., Amendment or After-final, etc.)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Facsimile responses should be faxed to:

(571) 273-8300

Hand-delivered responses should be brought to:
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on M, T, TH and Friday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.

QUOC TRAN
PRIMARY EXAMINER

AU 2643
October 8, 2005